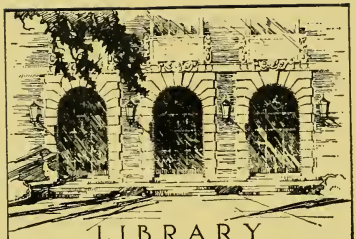
JOHNSON, T. Walter.

CHARLES REYNOLDS MATHENY
1786-1839, AN ILLINOIS
PIONEER.

(1941)



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ILLINOIS HISTORICAL SURVEY

CHARLES REYNOLDS MATHENY

1786-1839

An Illinois Pioneer

BY

T. WALTER JOHNSON

PRIVATELY PRINTED

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FOREWORD

This booklet is an amplification of a biographical sketch of Charles Reynolds Matheny which appeared in the *Journal of the Illinois State Historical Society* for December, 1940. Its author, Mr. T. Walter Johnson, is an instructor in the History Department at the University of Chicago.

Charles Reynolds Matheny was a true pioneer, first in Kentucky, then in southern Illinois, and finally in the region that later became the state's capital. Born and reared in a state where slaves were held, he became an outspoken opponent of human bondage, and his frequent attacks on that institution probably barred the way of political preferment as far as he was concerned. Except for the courage of men of his kind, the new state of Illinois, peopled largely by settlers from Kentucky and Tennessee, might have followed the course of the South. If it had, who can calculate the effect upon the nation a generation later?

This sketch was prepared at the suggestion of Mr. Willard Reynolds Matheny and Mr. Albert Reynolds Matheny, each a resident of Chicago, each a great-grandson of the subject of the article, each a member of the Illinois State Historical Society. Their participation in a venture of this kind is gratifying evidence of the interest of busy men in things historical.

Paul M. Angle

Springfield, Illinois.
January 1, 1941.

CHARLES REYNOLDS MATHENY
PIONEER SETTLER OF ILLINOIS
(1786-1839)

BY T. WALTER JOHNSON

American development has exhibited not merely advance along a single line, but a return to primitive conditions on a continually advancing frontier line, and a new development for that area. American social development has been continually beginning over again on the frontier. This perennial rebirth, this fluidity of American life, this expansion westward with its new opportunities, its continuous touch with the simplicity of primitive society, furnish the forces dominating American character.

—FREDERICK JACKSON TURNER,
The Frontier in American History.

THE career of Charles R. Matheny, commencing in upland Virginia and extending through Kentucky to the prairies of Illinois, illustrates the fluidity of American life, the expansion westward, and the return to primitive conditions of an advancing frontier line. It also demonstrates the change in Illinois from frontier conditions to a more stable social order. In the process of evolution from a primitive society, there was conflict within Illinois among the settlers as a result of the different backgrounds from which they came. Different points of view, different customs, and different institutions produced in older sections—the Lowland South, the Upland South, the Middle States, and New England—merged in the Old Northwest to

create a new section and a new sectional culture.[1] Mr. Matheny's career is representative of the importance of the Upland South to the Territory and State of Illinois.

Charles, son of James and Diana Beasley Matheny, was born in Loudoun County, Virginia, on March 6, 1786. Sometime previous to this date, James Matheny and his family had moved from Stafford County in the Tidewater to Loudoun County, in the Piedmont region.[2] Three years after the birth of Charles, James Matheny, his wife, and two other sons journeyed to Kentucky in search of better farming country. They crossed the Allegheny Mountains from the Shenandoah Valley through the Cumberland Gap and settled down in the neighborhood of Harrodsburg, Kentucky.[3] The tormenting difficulties which beset the Matheny family on this journey have not been recorded for posterity, but Peter Cartwright has described a similar journey in the following words:

> It was an almost unbroken wilderness from Virginia to Kentucky at that early day, and this wilderness was filled with thousands of hostile Indians, and many thousands of the emigrants to Kentucky lost their lives by these savages. There were no roads for carriages at that time, and although the emigrants moved by thousands, they had to move on pack horses. . . . The fall my father moved, there were a great many families who joined together for mutual safety, and started for Kentucky. Besides the two

[1] John D. Barnhart, "The Southern Influence in the Formation of Illinois," *Journal of the Illinois State Historical Society*, Vol. XXXI, no. 3 (Sept., 1939), 358-59.

[2] Overwharton Parish Record (Stafford County, Va.), 123; I have made no attempt to trace the background of the Matheny family. Apparently they came originally to Virginia as indentured servants. In the possession of Willard R. Matheny, 33 N. LaSalle St., Chicago, there are two genealogical charts. One traces the family back to Kent County, England, and the other to an ancient French family, which emigrated to England before coming to the colony of Virginia in the seventeenth century. The latter account was published in the *Boston Evening Transcript*, March 22, 1937. Newton Bateman and Paul Selby, eds., *Historical Encyclopedia of Illinois* (Chicago, 1920), 355.

[3] Bateman and Selby, *Hist. Ency. of Ill. and Hist. of Sangamon County* (Chicago, 1912), II: pt. II, p. 1,421.

hundred families thus united, there were one hundred young men, well armed, who agreed to guard these families through, and, as a compensation, they were to be supported for their services. After we struck the wilderness we rarely travelled a day but we passed some white persons, murdered and scalped by the Indians going to or returning from Kentucky.[4]

From the date of this journey to Kentucky (1789) to the year 1805, there is no information about Charles R. Matheny or his family. In 1805, at the western conference held in Scott County, Kentucky, he was received into the Methodist Episcopal Church as a circuit rider, and was appointed to the Illinois Circuit in the Cumberland District. The Illinois Circuit, embracing the few scattered settlements within the bounds of the present counties of Madison, St. Clair, and Monroe, had been organized in 1804. When Matheny took charge of the Illinois Circuit, there were 120 members.[5] At the conclusion of one year's service as a circuit rider Matheny was retired at his own request.[6] The reason for this decision is not known, but it was likely a result of Matheny's desire to rear a family, a difficult task on a circuit rider's salary.

Although he resigned as a circuit rider, he retained his interest in the Methodist Church in St. Clair County and later in Sangamon County, after he moved there in 1821. His status permitted him to preach in his own and neighboring communities and to organize new class meetings until the regular circuit rider could appear on the scene. In 1807, William McKendree, the

[4] W. P. Strickland, ed., *Autobiography of Peter Cartwright* (London, 1859), 1.

[5] *Minutes of the Conference of the Methodist Episcopal Church*, I: 134, 137, 319. J. Scripps, writing in the *Western Christian Advocate*, Dec. 20, 1842, states that there were 187 members in 1806, and that Matheny added 110 new members.

[6] James Leaton, *History of Methodism in Illinois from 1793 to 1832* ([Cincinnati], 1883), 45. Matheny's name does not appear in the *Minutes of the Conferences of the Methodist Episcopal Church* after his retirement in 1806.

presiding elder of the Cumberland District, Jesse Walker, the circuit rider for the Illinois Circuit of this district, Charles Matheny, and a number of other preachers conducted a three-day revival at a camp meeting ground known as Three Springs. There were tents and log-pens covered with clapboards to accommodate some fifty families. One of the preachers, in describing this camp meeting, has left a record of the religious enthusiasm engendered by the frontier preachers:

> At three o'clock, while Brother Goddard and I were singing a hymn, an awful sense of the divine power fell on the congregation. . . . Looking around upon the scene, and listening to the sobs, groans, and cries of the penitents, reminded me of a battlefield after a heavy battle. All night the struggle went on. Victory was on the Lord's side; many were converted, and by sunrise next morning there was the shout of a king in the camp.[7]

Matheny was a leader in the organization of the Methodist Church at Shiloh in St. Clair County. In 1806, a log house was erected to serve as a church building. He contributed $10 toward the cost of constructing a brick church, built in 1817. This Shiloh Church is the oldest Methodist Church in Illinois from the standpoint of continuous operation.[8]

On retiring from riding the Methodist Circuit in 1806, Matheny settled down at Ridge Prairie, Illinois, and married Jemima Ogle, daughter of Captain Joseph Ogle. Captain Ogle had commanded a Virginia regiment in the Revolutionary War and had migrated to

[7] Robert Paine, *Life and Times of William McKendree* (Nashville, 1893), 158-60; S. R. Beggs, *Pages from the Early History of the West and Northwest* (Cincinnati, 1868), 140-42. Beggs places this camp meeting at Eunice instead of at Three Springs.

[8] Clarence O. Kimball, "The Earliest Methodism in Illinois," *American Illustrated Methodist Magazine*, Vol. IV (Sept., 1900), 56-57. The Methodist Church at Bethel was built in 1805, but for ten years it merged with the Center Grove Church. *History of St. Clair County, Illinois*, Brink, McDonough, pub. (Philadelphia, 1881), 172-73. The early records of the Shiloh Church have disappeared. Letter from pastor of Shiloh–O'Fallon Church to Willard R. Matheny, Chicago, April, 1940.

Illinois in 1785, settling in what is now Monroe County. In 1802, he made one of the pioneer locations on Ridge Prairie near the present town of O'Fallon.[9] J. M. Peck in 1837 described Ridge Prairie in the following words:

> Ridge Prairie is situated in Madison county, commencing near Edwardsville, and extending south to St. Clair county.
>
> It is on the dividing ridge between the waters that fall into the Mississippi west, and those that flow to the Kaskaskia east. Originally this prairie extended into St. Clair county as far south as Belleville [this was the case when the Ogles settled in the prairie in 1802], but long since, where farms have not been made, it has been intersected by a luxuriant growth of timber. Its surface is gently undulating, the soil rich, and is surrounded and indented with many fine farms.[10]

Charles R. Matheny turned to farming on this prairie in order to support his wife and a growing family, which subsequently included eleven children.[11] Although he devoted much attention to agricultural pursuits, he did not relinquish his interest in the Methodist Church nor did he dissociate himself from the affairs of Illinois Territory. In 1809, companies of rangers were organized to check the depredations of Indians stirred up by British agents. From July 27, 1812, to August 11, 1812, Matheny played the role of a fighting preacher by joining Captain John B. Moore's volunteer company of cavalry from St. Clair County. Further service in the War of 1812 is not indicated, but it is evident

[9] Brink, McDonough, pub., *St. Clair County*, 50-51, 173.

[10] J. M. Peck, *A Gazetteer of Illinois* (Philadelphia, 1837), 281.

[11] Matheny's wife survived him many years, dying at a ripe old age in 1858. John Reynolds, *The Pioneer History of Illinois* (Chicago, 1887), 261. Matheny's children bulked large in the future of Illinois. Noah W., James H., Charles W., and Elijah Cook Matheny had an important part in the political, professional and business affairs of Springfield and Sangamon County. Bateman and Selby, *Sangamon County*, II: pt. II, p. 1,422. James H. was a close friend and political adviser of Abraham Lincoln, a judge in Sangamon County, and a lieutenant-colonel during the Civil War. *United States Biographical Dictionary, Ill. Vol.*, (Chicago, 1876), 171-72; E. E. Sparks, ed., *The Lincoln-Douglas Debates of 1858* (*Illinois Historical Collections*, III, Springfield, 1908), 88, 92, 232, 296.

from his participation in the work of this company that he was willing to make his religion a practical affair.

On December 14, 1811, Matheny was appointed a justice of the peace for St. Clair County, thus inaugurating a long career as a public servant. He was reappointed by Governor Ninian Edwards to this office on May 28, 1812.[12] In addition, he held two other county offices while residing in St. Clair County. On April 24, 1814, Governor Edwards appointed him treasurer of the county to take the place of William Whiteside who had died in office.[13] Three years later, March 3, 1817, Governor Edwards named Matheny to the position of circuit attorney for the first judicial district, presided over by Judge Jesse B. Thomas. He had acquired his knowledge of law from private study interspersed with his active life as a farmer, preacher, and county official.[14]

Mr. Matheny's work as a county official centered at Belleville, the county seat. In 1814, the county seat had been shifted from Cahokia to the more central location at Belleville. He prosecuted cases for the county in a newly erected two-story frame courthouse. His circuit was one of the three legal circuits into which Illinois had been divided, and it included Randolph County as well as St. Clair County. He was succeeded in office by Daniel Pope Cook, beginning at the fall term, 1819; the latter became the first prosecuting attorney under the new state organization.[15]

Matheny's horizon was not limited to service in purely county activities. In 1816, he was elected to the

[12] "Executive Record, 1809-1818," Vol. B: 35, 42 (Archives Division, Ill. State Library, Springfield).
[13] *Ibid.*, 58.
[14] *Ibid.*, 42.
[15] Reynolds, *Pioneer Hist. of Ill.*, 261n.

third territorial legislature, meeting at Kaskaskia, as a representative from St. Clair County.[16] There his most important work was done on the reform of the judiciary system. In 1815, the territorial legislature and Governor Edwards had petitioned the Congress of the United States to pass an act ordering the United States judges to conduct circuit courts. Congress had carried out this request and had ordered the judges to hold circuit courts in each county. However, this law had proved unsatisfactory, and the first session of the third territorial legislature attempted to provide a solution. A committee of the house reported a bill "to establish circuit courts of their own creation; to give a salary of about $800—to have two judges; and to hold three courts in each county."[17] The members of the legislature felt that the people of the territory should not be called upon to pay for a service which the United States judges should have performed, and another bill was substituted which practically continued the system then in force under the United States law of 1815. Two of the United States judges, Thomas and Towles, held court under the act, but Thomas felt that the law was not valid. One judge, William Sprigg, refused to recognize this act on the ground that the United States law had expired and that the territorial act was a violation of the Northwest Ordinance. At the time when he should have been riding his circuit, he was on a trip to Maryland.

When the third territorial assembly met for its second session in December, 1817, something had to be done

[16] "Journal of the Territorial Legislature," 1816-1817 (Archives Division, State Library, Springfield), 4. Miss Margaret Norton, archivist, has prepared a helpful index to the Journal.

[17] Solon J. Buck, *Illinois in 1818* (Springfield, 1917), 204. The United States Congress had given the territorial legislature the power to change the law of 1815.

to assure the trying of lawsuits and criminals in Judge Sprigg's circuit. Representatives Bradsby and Matheny of St. Clair County opposed any concession to the judge, and favored "an appeal to that tribunal [Congress] which is competent for that purpose." This appeal would have required too much time, and the legislature adopted a measure similar to the one which failed to pass in the first session. This provided for two circuit judges appointed by the Governor, with salaries of $1,000 a year. The United States judges were relieved of all circuit duty and were required to hold only four general courts a year. Although the legislature had made more concessions to the judges than Matheny desired, it did adopt resolutions requesting its delegate in Congress to lay before the House of Representatives charges against Judge Sprigg for his refusal to hold courts as required by the territorial law and for absenting himself from the territory for an unreasonable time.[18]

Mr. Matheny's stand in favoring no concession to the United States judges on relieving them of circuit court duty would seem to have been the result of his experience in the court affairs of his county. His work as circuit attorney for the first judicial district, presided over by Judge Thomas, apparently had not convinced him that the judges should be freed from the circuit court work.[19] His opposition to the judges also demonstrated that he was a member of the Ninian Edwards, Daniel Cook, and Nathaniel Pope faction of the territory. The Edwards group had opposed the judges, and

[18] Buck, *Illinois in 1818*, 197-200, 203-205; "Journals of the Territorial Legislature," 1816-1817, 1817-1818, *passim*.

[19] Buck, *Illinois in 1818*, 197 seems to agree with Matheny. Buck states that the judges had very little to do, and were absent from the territory for long periods of time, much to the dissatisfaction of the people.

the other faction, led by Shadrach Bond, Jesse B. Thomas, and Elias Kane, had supported the judges.[20]

A very significant phase of the work of this territorial assembly was the drawing up of a memorandum to Congress asking for statehood for Illinois. Charles R. Matheny was one of the committee of four which prepared this memorial. The day before its final passage, Mr. Matheny introduced a bill calling for the repeal of the law establishing the indenture system. This bill also contained a preamble which declared that the indenture law was in contravention to the paramount law of the land. Through the indenture system, negro slavery was maintained in the Northwest Territory. The indenture act of Indiana (1807) had continued in effect in Illinois in 1809 when the Governor and judges of Illinois Territory had stated that "the laws of Indiana Territory of a general nature. . . . are still in force in this Territory."[21] During the territorial period, there had been a growing sentiment against the institution which culminated in the bill introduced by Matheny in December, 1818.

Probably Matheny introduced the bill at the time of the discussion of the memorandum on statehood in order to prevent the constitutional convention from continuing indefinitely the system of indentured servitude. He hoped to establish the invalidity of the law in such a way as to make it impossible for this convention to ignore the action. The introduction of the bill

[20] That Edwards and Cook were not entirely sure of Matheny's support, however, was revealed by a letter from Cook to Edwards during the latter's campaign for Congress in 1819 against McLean of the opposing group. "I believe it will require some exertions to succeed against these jugglers. They have been trying to take Matheny from me by offering him an office; they may have succeeded, I cannot tell." E. B. Washburne, ed., *The Edwards Papers* (*Chicago Historical Society Collections*, III, Chicago, 1884), 159-61.

[21] Buck, *Illinois in 1818*, 214-15.

in the territorial assembly "gave rise to some warmth and animation of argument on both sides." Bradsby, also a representative from St. Clair County, supported Matheny and agreed that the action of a slave in indenturing himself to his master could not be considered as voluntary and consequently the system was involuntary servitude and a violation of the Ordinance of 1787. Matheny took the position that if the bill passed, although it declared the indenture act a violation of the Ordinance, it would "have no influence on contracts that have been heretofore made, if such were its intended operation, it would be an ex post facto law, and therefore unconstitutional."

The bill passed the House and Council, but Governor Edwards vetoed it. He declared himself to be no advocate of slavery, but thought that the validity of the indenture law should be left to the judiciary to decide rather than have the legislature invade a field of jurisdiction not in its power.[22] The result of this anti-slavery movement started by Charles R. Matheny was to establish slavery as the dominant issue in the forthcoming campaign for delegates to the constitutional convention. Matheny was not sent as a delegate from St. Clair County, and it is possible that his strong stand against slavery may have alienated many of his earlier supporters.[23] Although he was not a member of the convention, Matheny did not lose interest in the slavery question. While the convention was in session he and a group

[22] Buck, *Illinois in 1818*, 215-18; "Journal of the Territorial Legislature," 1817-1818, *passim*.

[23] Buck, *Illinois in 1818*, 218-19 points out: "The pro-slavery men had the advantage, for the extreme antislavery men by declaring themselves so positively at the very beginning, left the whole of the middle ground to their opponents. They made it necessary for those who sought only to keep conditions as they were to work together with advocates of unrestricted slavery."

of other anti-slavery men drew up an address "to friends of Freedom in the State of Illinois." The leaders of this extreme anti-slavery party acknowledged their defeat in the election by the following plea:

> We are informed that strong exertions will be made in the Convention to give sanction to that deplorable evil in our state; and least such should be the result at too late a period for any thing like concert to take place among the friends of freedom in trying to defeat it; we therefore, earnestly solicit all true friends to freedom in every section of the territory, to unite in opposing it, both by the election of a Delegate to Congress who will oppose it, and by forming meetings and preparing remonstrances to Congress against it. Indeed, so important is this question considered, that no exertion of a fair character should be omitted to defeat the plan of those who either wish a temporary or unlimited slavery. Let us also select men to the Legislature who will unite in remonstrating to the general government against ratifying such a constitution. At a crisis like this, thinking will not do, *acting* is necessary.[24]

That slavery played a part in the campaign for statehood and the election of delegates has been noted. In the convention, however, there is no evidence to show that anyone proposed to make Illinois a slave state. The influence of the Northwest Ordinance and the fear of congressional opposition caused a postponement of the slavery controversy until after statehood had been obtained. The prohibition of slavery and indentured servitude was changed from an unqualified prohibition in an earlier draft of the constitution to a ban against the further introduction of slaves and servants. Indentured servants were required to fulfill their contracts strictly, and existing relationships between master and slave or servant were protected, but no further contracts of this kind were to be made.[25]

[24] *Illinois Intelligencer* (Kaskaskia), Aug. 5, 1818; Buck, *Illinois in 1818*, 260-61 reprints the address.

[25] See E. J. Verlie, ed., *Illinois Constitutions* (*Ill. Hist. Col.*, XIII, Springfield, 1919),

The struggle in Illinois in these years between the pro-slavery and anti-slavery forces was largely a struggle among southerners. The official class of the territory was embroiled with slavery and indentured servitude. These lowland southerners were aided in their pro-slavery cause by the population about the salt works and the native French who usually held slaves. The opposition to this group came from the upland southerners who had sought to escape the evils of slavery by removal to a free territory. There were some lowland southerners however, who joined in the anti-slavery cause—notably Edward Coles, Ninian Edwards, and Nathaniel Pope. The anti-slavery cause was also aided by emigrants from the Middle States and the few New Englanders who had come to Illinois. Although each group received aid from others, the contest was usually between two groups of southerners with Charles R. Matheny playing a leading role for the upland southerners.[26]

Mr. Matheny concluded his career as a member of the legislative body of Illinois by serving in the second assembly of the state, meeting from 1820 to 1821.[27] He served on a committee of three to draw up plans for a seat of government for the state and for the erection of a temporary statehouse, courthouse, and a state prison.[28] His vote on one issue serves as an interesting commen-

38-39; Buck, *Illinois in 1818*, 282 states: "The action of the convention has usually been represented as an antislavery victory but the members who are known to have favored slavery were on the winning side in all three of the record votes. It has also been called a compromise between the opponents and the advocates of slavery but it would probably be more accurate to consider it a victory for those who occupied middle ground on the subject. The solution may well have embodied the views of a majority of the convention and also of a majority of the people of the state as well."

[26] See Barnhart, *Jour. Ill. State Hist. Soc.*, Sept., 1939, pp. 371-74 for discussion of these two groups.

[27] "Election Returns, 1818-1820," I: no. 2,269 (Archives Division, State Library, Springfield).

[28] *Journal of the Ill. House of Representatives, 1820-1821*, pp. 5, 41-42, 54-59.

tary on his life. A bill for the opening, improving, and repairing of roads and highways was amended by adding, "That hereafter all licensed ministers of the gospel shall be exempt from working on roads and highways." This amendment received his negative vote.[29] As apparent from his own career, he felt that it was beneficial for ministers to render public service.

This state assembly was concerned with the problems created by the Panic of 1819 which swept through the country. A major cause of this Panic, according to many westerners, had been the work of the Bank of the United States in forcing local banks to close their doors because of the lack of specie in their vaults to back up the paper currency they had issued. The creation and operation of the bank were also considered to be an infringement upon state rights. On Matheny's motion, the Illinois legislature voted to accept a proposed amendment to the federal Constitution, which would have required that "Congress shall make no law to erect or incorporate any bank. . . except within the district of Columbia; and every bank . . . shall, together with its branches . . . be confined to the district of Columbia."[30] Although opposed to the Bank of the United States, he was not against banks as such. He favored a state bank and voted to create one with a capital stock of $300,000 in the hope that this institution would relieve some of the suffering caused by the lack of money.[31] The legislature took other steps to aid the people suffering from the Panic. Many settlers had acquired too much land from the federal government on credit, and now with money scarce, they were unable to meet the

[29] *Ill. House Journal, 1820-1821*, 348-50.
[30] *Ibid.*, 196-99.
[31] *Ibid.*, 144-45, 161.

payments due on their land. Matheny was appointed to a committee to draft a memorial to Congress "praying further relief to be granted to the purchasers of public lands."[32] He also voted for a stay law that aided insolvent debtors during this trying period.[33]

Two of his votes in this second assembly centered about moral questions. He was back of a move to prevent the representatives' hall in the Statehouse from being used for balls. This may have been the result of a feeling that it was undignified to open the hall for such an affair or, more likely, it was because of the prevalent feeling, entertained by ministers at that period, that balls, plays, and circuses were activities of Satan.[34] The second vote was on a petition from a citizen asking for a divorce from his wife. Matheny moved that this petition be not countenanced, and the House concurred in his request.[35]

In 1821, Charles R. Matheny moved his family to the recently organized Sangamon County where he was offered the positions of county clerk, clerk of the circuit court, county auditor, and other prospective advantages.[36] Apparently he had not been able to earn enough money from his farming and official activities to support his large family. The conditions facing a settler in St. Clair County have been described by John Reynolds, and one can see why Matheny was willing to leave:

> From 1818 to about 1826, Belleville was almost stationary, and increased in wealth and buildings but little. During part of this

[32] *Ill. House Journal, 1820-1821*, 13.
[33] *Ill. House Journal, 1820-1821*, 204-205.
[34] *Ill. House Journal, 1820-1821*, 255. See T. Walter Johnson, "Peter Akers: Methodist Circuit Rider and Educator (1790-1886)," *Jour. Ill. State Hist. Soc.*, XXXII, no. 4 (Dec., 1939), 436 for Peter Akers' views on such affairs.
[35] *Ill. House Journal, 1820-1821*, 51.
[36] *History of Sangamon County, Illinois* (Inter-state Pub. Co., Chicago, 1881), 74.

time business was measurably suspended, and weeds sprouted and grew upon the public square. Different means were resorted to by the legislature to free the people from embarrassment. In these hard times cows and calves sold for five dollars. Stay laws, bankrupt acts, state banks and many other remedies were adopted, but I believe they injured more than they benefited the people.[37]

In contrast to this lament about the hard times in St. Clair County, there was high acclaim for Sangamon County. As early as 1819, Ferdinand Ernst, a German traveler, stated: "In the vicinity of this town [Vandalia] is a large amount of fine lands, but every one is full of praise for those which lie about sixty or eighty miles northward upon the river Sangamon." With his interest aroused he traveled to see this land, and when he reached it his enthusiasm led him to remark: "I do not believe that any other State in all America is so highly favored by nature, in every respect, as the State of Illinois."[38]

Descriptions like this echoing throughout Illinois, plus the tender of county positions, apparently induced Charles R. Matheny to move his family to this new county in order to obtain a more favorable standard of living. That the level of living he had maintained in St. Clair County must have been low is evident, for he would have been reluctant to give up a comfortable situation in order to face the difficulties that would beset him in pioneering a new area such as Sangamon County.

The pioneer status of this new country has been recorded for us by Elijah Iles who set out from Boone's Lick, Missouri, to investigate the reports about the Sangamon region that he had heard on his trip across

[37] Cited in *Belleville Advocate*, Oct. 25, 1939 (Centennial Edition).

[38] Helen Van Cleave Blankmeyer, "The Sangamon Country," *Illinois State Register*, Sept. 18-Nov. 28, 1934; Bateman and Selby, *Sangamon County*, Vol. II, pt. I, p. 638.

Illinois. He described his first view of the present town of Springfield, which was the temporary county seat, in the following words:

> I crossed the prairie [from the present-day Jacksonville] without a trail, found no one in the grove [Island Grove] and kept on the west side until I struck a trail running east to where it was said a temporary county seat was located. Following this trail I found the place, on the east side of Spring creek timber. Charles R. Matheny had just moved to the place, and had erected a cabin of one room, in which he was residing with a large family of little children. He had been appointed clerk of the circuit and county court, judge of the probate, clerk of his own court, and county recorder, although there were no deeds yet to be recorded. All of these offices heaped upon him did not give him a bare support.[39]

Iles apparently felt that the glowing reports had not been an exaggeration, for he contracted for the erection of a store near the stake that had been struck for the beginning of the town of Springfield.

Springfield had been selected as the temporary county seat because it was the only place in the region where enough farmers could be found to house the judges and lawyers of the county court. The county commissioners held their first meeting on April 3, 1821, at Kelly's settlement on Spring Creek, where they appointed Charles R. Matheny as clerk. Seven days later, the court met and hired John Kelly to build them a courthouse in the prevailing style, the logs to be twenty feet long, the house one story high, with a plank floor, a good cabin roof, and a door and window cut out. The next term of the court, meeting on June 4, 1821, was held in this newly constructed courthouse.[40]

[39] Elijah Iles, *Sketches of Early Life and Times in Kentucky, Missouri and Illinois* (Springfield, 1883), 27-28.

[40] "Sangamon County Commissioners Court Records," Vol. A: 1, 3, 9 (MS, Ill. State Hist. Lib., Springfield); H. Douglas Giger, comp., *The Story of the Sangamon County Court House* (Springfield, [1901]), 5-6.

Under the Constitution of 1818, the county commissioners' court acted as a county board with general administrative control over county business. The court's activities were co-ordinated by the clerk, who was chosen by the county commissioners until the office was made elective in 1837.

Charles R. Matheny held this office from 1821 until his death in 1839. He received a salary from the court in proportion to the number of days required for each session. For instance, in December, 1825, he was paid $100; in October, 1826, $16 for a short term; and in March, 1827, he received $15 for five days' services. He was able to piece out his income through charging fees for services rendered. In 1824 he was allowed to charge 37½c for every process and seal; 6c for filing a paper; 12½c for entering orders of court; $1.00 for each marriage, ferry, or tavern license; 25c for affixing the seal; and 25c for copying the rates of bridges and taverns.[41] In April, 1833, as clerk of the court he sent Salome Enos a bill, which reveals how important a source of income these fees were to him. This bill called for 12½c for filing a petition; 25c for bringing the record to court; $2.75 for entering a decree and copying it; 50c for entering the return; and $4.50 for entering three deeds.

As clerk of the court, Matheny had, in addition to legal work, the task of ordering firewood and supplies like books and stationery. On October 12, 1826, the county commissioners ordered:

That Charles R. Matheny be authorized to contract for and procure a good substantial convenient Table for the use of the bar &

[41] *Laws of Ill., 1824-1825*, 140-41. An interesting license he issued as clerk was one to Berry and Lincoln on March 6, 1833 to keep a tavern in New Salem, for which they paid $7.00. Some of the rates of their tavern as established by court were 12½c for lodging overnight a man or horse; 12½c for a pint of whiskey. "Sangamon County Court Records," Vol. D: 6.

the Clerk in the court house, and that an appropriation shall be made at the next Term to pay for said Table at such price as said Matheny may agree on, and also two seats for the use of the Table—to be procured as above.[42]

Matheny also had charge of the assessor's books and the books covering delinquent taxes. An important phase of his work was arranging for the sale of property for failure to pay taxes. On March 3, 1834, for example, he sold eighty acres in Township 15 of the North Range for $2.90, the amount of taxes for the year 1833, plus interest. He also seems to have been the source of information on the property of the county. On April 1, 1828, Hooper Warren wrote to Ninian Edwards, "I have just returned from a search for information concerning the Cox property. I found no one that knew anything about it until I met Mr. Matheny."[43]

In the same years that he was clerk of the county commissoners' court, he served as clerk of the circuit court. The first term of the Sangamon circuit court was held on May 7, 1821 at the home of John Kelly. The court consisted of John Reynolds as presiding justice, Charles R. Matheny as clerk, John Taylor as sheriff, and Henry Starr as the prosecuting attorney.[44] As clerk of the circuit court he received a salary that varied with the number of days the court was in session.[45] In addition to the salary, he received fees for legal work performed. According to the laws of 1824, he received 50c

[42] "Sangamon County Commissioners Court Records," Vol. A: 53; Vol. B: 20 These examples of his activities and fees charged as clerk are taken at random from the records and are only a few typical selections that might be made.

[43] Washburne, ed., *Edwards Papers*, 335-38.

[44] Bateman and Selby, *Sangamon County*, Vol. II, pt. I, p. 682. The court docket of all the cases he presided on as clerk is in the circuit clerk's office at Springfield. Matheny wrote out the cases from 1821 to 1839.

[45] For instance, for the year 1821 he received $87.50 for salary and stationery furnished that year. See "Circuit Court Records of Sangamon County," entry for the first Monday in September, 1821.

for issuing executions; 12½c for docketing them; 12½c for entering sheriff's returns; 50c for summons, subpoena, and other processes not specifically stated; 6¼c for swearing in witnesses; 12½c for entering the verdict of the jury; and 12½c for drawing up the list of jurors.[46] The average fee he seems to have earned in each case before the court ranged between $4.00 and $6.00.[47]

An important phase of his work as circuit clerk was the writing of estray notices. Any person who found a strayed animal had to inform the clerk of the court, and the clerk received a fee for issuing a public notice about the animal. The notice was sent to a newspaper and published. If the clerk was a Whig, as Matheny was, a Whig paper would receive the notice and the money from the county for publishing it.[48]

The office of circuit clerk was appointive throughout Matheny's life. He had first been named to the office by Judge John Reynolds of the Illinois Supreme Court on February 8, 1821. In 1835, Stephen T. Logan was elected judge of this circuit, and he appointed Mordecai Mobley to serve as clerk. On May 4, 1835, Mobley went into Matheny's office, ousted him, and took control. Matheny felt that he was the legal clerk with the lawful right to hold office until the legislature fixed the limit of tenure. Stephen A. Douglas, the people's attorney for the State of Illinois in this district, brought a *quo warranto* proceeding to try Mobley's right to office.

[46] *Laws of Ill., 1824-1825*, 139, 172. These fees have been selected at random.

[47] "Fee Book of the Circuit Court of Sangamon County" (Circuit Clerk's office, Springfield). This average is based on a study of these cases over the years. For example, in April, 1833 (p. 8), he earned $4.40 on a case. I am indebted to Dr. Harry Pratt of the Abraham Lincoln Association of Springfield, for aid in looking through these county records.

[48] See the *Sangamon Journal*, Jan. 5 and 26, 1832, for samples of estray notices; the clerk of the circuit court (Springfield) has the original notices in Matheny's handwriting.

Douglas won his case in the December term of the Supreme Court. The Supreme Court held that Charles R. Matheny was the legal holder of the office until the tenure was fixed by the legislature. According to the Supreme Court, Judge Logan did not have the power to appoint Mobley. By taking this position, the Supreme Court reversed a decision of a county court which had held that the judge had the right to select his own clerk.[49]

It should not be inferred, in view of the fees and salary derived from holding the clerkship in two courts, that Charles R. Matheny received a munificent stipend for his services to the people of Sangamon County. In 1821, for instance, there were few people in the region. Paul M. Angle writes of Springfield:

> So far as an increase of population was concerned, the location of the temporary county seat had attracted only one settler. He was Charles R. Matheny, who had been induced to locate there by the offer of all of the county offices except that of sheriff. Even he was finding it difficult to live on the fees of his combined offices. It was at least an even chance that the little village, thus prematurely born, would live out a listless existence of a year or two, and gradually disappear.[50]

That Matheny's income in the remaining years of county service was not great is revealed by an action of Abraham Lincoln after Matheny's death. A woman client of Lincoln's had him survey a piece of land she owned near the Springfield city limits. Lincoln found that by mistake the woman had become the owner of three more acres than she was entitled to, and Charles R. Matheny, the former owner, was the loser. Lincoln

[49] *People of the State of Illinois ex rel Charles R. Matheny* v. *Mordecai Mobley*, I Scammon (2 Ill.), 215. The reason for Logan's action is not clear. Matheny and Logan were both Whigs. It may have been Logan's personal desire to have his own clerk.

[50] Paul M. Angle, "*Here I Have Lived*" (Springfield, 1935), 6-7.

notified the woman that she ought to pay the heirs of Matheny for this land. It took a second letter, in which Lincoln pointed out that the Matheny heirs were poor, before she made the payment.[51]

Charles R. Matheny served Sangamon County in various offices in addition to his work as clerk of the two courts. From February 14, 1821, to his resignation on July 5, 1827, he was the county recorder, from February 14, 1821, until his resignation on October 19, 1838, he was a notary public, and on August 15, 1822, he was commissioned judge of probate. He was later elected to this position on February 13, 1823. On January 5, 1827, he was commissioned as justice of the peace, and on August 12, 1835, he received a commission for the same post, from which he resigned on March 15, 1836. In the last year of his life, he was appointed as commissioner to locate the seat of justice in Logan County.

In his years of service in Sangamon County, he watched the county grow from a wilderness region into one of the leading counties of the state. A considerable boost was given the county by the laying out of the town of Springfield in 1823 by Elijah Iles and Pascal P. Enos, and its selection as the permanent county seat in 1825.

Peter Cartwright visited Springfield in 1824 and has left a description of the town which well sets forth its pioneer status:

> There were in this place, now the seat of government, a few smoky, hastily-built cabins, and one or two very little shanties, called "stores," and, with the exception of a few articles of heavy ware, I could have carried at a few loads all they had for sale on my back.[52]

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[51] Carl Sandburg, *Abraham Lincoln, The Prairie Years* (New York, 1926), II: 47; Emanuel Hertz, *The Hidden Lincoln* (New York, 1938), 105-106.

[52] W. P. Strickland, ed., *Autobiography of Peter Carturight*, 106.

Charles R. Matheny played as large a role in the history of the village as he did in county activities. The town of Springfield was incorporated on April 2, 1832, and Matheny was elected president of the board of trustees. During this year, William Cullen Bryant journeyed to Illinois from the East. His description of Jacksonville and Springfield, reflecting the attitude of an "effete" easterner accustomed to older ways of life, was not commendable. According to Bryant, Springfield was worse than Jacksonville:

> It [Jacksonville] was a horridly ugly village, composed of little shops and dwellings stuck close together around a dingy square, in the middle of which stands the ugliest of possible brick courthouses, with a spire and weathercock on its top. The surrounding country is a bare, green plain, with gentle undulations of surface, unenlivened by a single tree save what you see at a distance on the edge of the prairie, in the center of which the village stands. . . . The first day brought us to Springfield, the capital of Sangamon County, where the land office for this district is kept, and where I was desirous of making some inquiries as to the land in the market. Springfield is thirty-five miles east of Jacksonville, situated just on the edge of a large prairie, on ground somewhat more uneven than Jacksonville, but the houses are not so good, a considerable portion of them being log-cabins, and the whole town having an appearance of dirt and discomfort. The night was spent in a filthy tavern.[53]

From 1832 until his death, Charles R. Matheny served as president of the board of trustees of the village of Springfield, and his ability to retain this post reflected the influence the man must have had over his fellow townsmen in Springfield.[54] Among his associates on the board were Stephen T. Logan, most dis-

[53] "Illinois Fifty Years Ago," *Prose Writings of William Cullen Bryant* (New York, 1889), II: 11-16; Frank J. Heinl, "The Bryants of Jacksonville," *Jour. Ill. State Hist. Soc*" XVIII, no. 1 (April, 1925), 218.

[54] In the annual election of 1838, for example, he received 201 votes to his opponents' 77 votes. *Sangamon Journal*, April 7, 1838.

tinguished lawyer of his day in Illinois; Samuel H. Treat, later judge of the Supreme Court of Illinois; and Abraham Lincoln. During the first year, the board consisted of Matheny, Cyrus Anderson, John Taylor, Elisha Tabor, Mordecai Mobley, and William Carpenter. As president of the board, Charles R. Matheny had a wide range of activities under his control. He was in charge of contracting for the construction of town buildings, bridges, and sidewalks. The duty of supervising the public health fell upon his shoulders, and the board directed him to publish to the inhabitants a notice that they must remove all nuisances from the premises such as sinkholes, gutters and decaying matter. Four years later, the board directed him to publish an ordinance that "no swine shall be suffered to run at large in the town of Springfield." Nor could dogs run loose unless a license had been secured for them.

In 1838, Mr. Matheny was instrumental in obtaining a loan from the State Bank of Illinois for the town of Springfield. Among the signers pledging payment, in case the town became unable to pay, were Matheny, John Hay, Washington Iles, and Abraham Lincoln.[55] The last year of Mr. Matheny's life witnessed Abraham Lincoln's appointment to the board of trustees. On August 7, 1839, Lincoln was chosen president pro tem, an honor passed around in Matheny's absence.[56] Springfield received great impetus in 1837 when it was selected to be the site of the capital of Illinois. In order to raise the $50,000 to help construct the Statehouse, the town of Springfield was obliged to borrow the money from the State Bank of Illinois.

[55] Bond Book of Springfield, March 22, 1838 (MS, Abraham Lincoln Association, Springfield).

[56] *Bulletin of the Abraham Lincoln Association*, no. 48 (June, 1937), 4-5.

Earlier in this article, it was mentioned that political factions and cliques existed in Illinois throughout the territorial period. Local rather than national issues determined the lines of cleavage. The bone of contention prior to 1817 was the judiciary. One party supported, another opposed, the system as it existed. Charles R. Matheny lined up with the Ninian Edwards group in opposing the system. When the slavery and indentured servant question became prominent in 1818, the anti-judiciary party opposed any extension of the system. The pro-judiciary party, on the other hand, was more favorable to slavery and indentured servants. These factions, with some variations, persisted down to the time of emergence of the Whig Party in 1834. In 1822, there was a movement to call a constitutional convention to legalize slavery in the state, which met the opposition of the Edwards group, and in 1824, the proposal was defeated. The anti-conventionists were largely made up of the Edwards faction plus the newcomers in the northern counties, while the pro-conventionists were led by the anti-Edwards faction. The convention issue played a more important part in the election of 1824 than did the candidates for the presidency. The bulk of the anti-conventionists supported John Quincy Adams' candidacy, and their opponents favored General Jackson.[57] Charles R. Matheny supported Adams and was a delegate from Sangamon County to an Adams meeting at Alton on September 11.[58]

[57] Charles Manfred Thompson, *The Illinois Whigs Before 1846* (*Univ. of Ill. Studies in the Social Sciences*, Vol. IV, no. 1, March, 1915), 27-28. The anti-Edwards group supported Jackson rather than Crawford because Crawford was not a popular candidate. "Edwards and his close political friends were Calhoun men and bitterly opposed to Crawford, but they appear to have been unable to unite on any one of the other three candidates. For instance, Cook was for Adams, and Eddy for Jackson; while Edwards himself was non-committal with a leaning toward Adams."

[58] Angle, "*Here I Have Lived*," 31.

After the election, the old factional alignments were split by the corrupt bargain charge levied by Jackson men against the Adams-Clay groups. Three distinct elements now appeared in the state. One opposed Jackson's desires for the presidency; a second favored Jackson, but was unwilling to go the "whole hog" for the Jackson candidacy; and the third was willing to go to any extreme for Jackson.

We have no record of where Mr. Matheny stood in this three-fold division, but it seems likely that he was a member of the opposition to Jackson. During the 1830's, Matheny was an out and out Whig. In 1837, when the office of clerk of the county commissioners became elective, he ran as the Whig candidate. The *Sangamo Journal* supported him and called for the defeat of the Loco Foco or Fanny Wright party.[59] General Adams, running for the office of probate judge, made an address in which he said, "Mr. Matheny and myself are among the oldest citizens of Sangamon County, and have both held our offices in times when they were neither an object worth holding. We are both advanced in years with families to support." Matheny did not wish to back Adams, so he supported the Whig candidate, Dr. A. G. Henry.[60]

The following year Mr. Matheny was the chairman in charge of the committee on arrangements for a Whig barbecue for the state. Among the other individuals

[59] *Sangamo Journal*, Aug. 5, 1837. This terming the Democratic Party, the Loco Foco or Fanny Wright party was an attempt to confuse the issue between the Whigs and Democrats. The Loco Focos and Fanny Wright were considered to be the "lunatic fringe" of American politics.

[60] *Sangamo Journal*, Aug. 5, 1837. "Mr. Matheny does not consider himself under any obligations to carry General Adams on his back. It is a load he is not ambitious to *tote*." The paper has a cartoon of Matheny climbing a ladder, and General Adams srying to catch his coat-tails saying, "Hallo, Squire! I thought to hang on your tkirts." Matheny's reply is, "Yes, but man, you're sucked, for I wear a round-about."

influential in this celebration were William D. Herndon, William Herndon, Noah Matheny, Simeon Francis, and Elijah Iles.[61] Abraham Lincoln, supporting the straight Whig ticket, voted for Charles R. Matheny as county clerk in 1837 and 1839. When Mr. Matheny died in office, his son Noah ran as a candidate to fill the unexpired term. On November 14, 1839, Lincoln wrote J. T. Stuart, who was in Washington, "There is no news here; Noah, I still think, will be elected easily." Lincoln's prediction was correct, for two days later Noah ran far ahead of his Democratic opponent.[62] That Abraham Lincoln and Charles R. Matheny were personal and political friends seems evident. They served together on the board of trustees of Springfield in 1839; the law firm of Stuart and Lincoln defended Mr. Matheny in a court case in 1838;[63] and Mr. Lincoln supported Matheny's candidacy for county clerk in 1837 and 1839. Mr. Lincoln was probably a closer friend to Charles's son James, however, than he was to the father.

Closely connected with Mr. Matheny's work as county and town official was his interest in land speculation. Matheny acquired a good deal of land in the town and county, owning at one time the entire city block between First and Second and Washington and Adams streets.[64] That he did not acquire great wealth

[61] *Sangamo Journal*, Sept. 22, 1838.

[62] *Bulletin of the Abraham Lincoln Association*, no. 36 (Sept., 1934), 9; no. 37 (Dec., 1934), 4.

[63] "Circuit Court Records," 1838-1839, Vol. D: 98, 182, 334. Andrew Heredith sued Matheny for a debt of $6.00. The suit was dismissed. Mr. Matheny only appeared in one other case (in addition to the Supreme Court case described earlier) during his career, somewhat surprising in that frontiersmen seemed to be very fond of litigation over land claims. This other case was to secure full title from the Enos heirs for land he had bought from Pascal P. Enos. His right to the title was not questioned. "Circuit Court Records," 1835, pp. 471, 533.

[64] "Record of the Deeds of Sangamon County," Grantor Index, 178. All the lands he bought and sold are listed in the index. His home was in the northwest corner of the block mentioned in the text. (I am indebted to Dr. Harry Pratt for aid in making up a ist of the lands owned by Mr. Matheny.)

through his land dealings is attested to by the fact that after his death, all his lands and belongings, except household furnishings worth $325, were sold to pay off his debts.[65]

Charles R. Matheny's duties as a public official did not abate his enthusiasm for the Methodist Church. In 1821, with the aid of John Glanville, the circuit rider, he organized all the Springfield Methodists into a society. For several years the society met in his hospitable home.[66] Peter Cartwright, who rode the Sangamon Circuit in 1825-1826, wrote: "We had a respectable society in point of members and religious moral character, but they were generally very poor."[67] The Matheny home, in addition to serving as a preaching place, was the home in which the Methodist itinerants stayed while in Springfield. In the latter years of Matheny's life, according to the Reverend James Leaton, he was an invalid and seldom preached. "He was but a moderate preacher, but was highly esteemed as an honorable, upright Christian gentleman."[68] Mr. Matheny served the church as a local deacon, steward, and trustee until his death on October 10, 1839. In these years at Springfield, while Mr. Matheny was serving as a local preacher, such figures as Peter Cartwright, Peter Akers, and James McKean were riding the Sangamon Circuit. That the Methodist Church was increasing its membership under their guidance is revealed by a letter from the Reverend Mr. McKean reported in the *Christian Advocate*, "The Reverend James McKean . . . states that

[65] Estate no. 396 (Probate Clerk's office, Springfield). The property worth $352 went to his widow.

[66] Nelson Allyn, "First Methodist Church, Springfield, Illinois; Historical Data, 1821-1933" (MS, Ill. State Hist. Lib., Springfield), 3.

[67] Strickland, ed., *Autobiography of Peter Cartwright*, 135.

[68] Leaton, *Methodism in Illinois*, 45-46.

God is gloriously reviving his work in that western region of country, and that many sinners are bowing their necks to the yoke of Christ."[69] When Peter Akers was in charge of the Springfield station in 1837, there were 191 white members in the church.[70]

Mr. Matheny's work in the Methodist Church was not limited to Springfield alone. In 1829, he was present at a quarterly meeting of the Sangamon Circuit, attended by Peter Cartwright, James McKean, and eleven other preachers. Matheny was chosen secretary for this conference. This particular gathering expelled Riddock Horne, a local preacher, from the Methodist Episcopal Church for "lying and slander."[71] Matheny and Peter Cartwright appear to have been close personal friends. In 1829, Cartwright pledged himself as security on a loan that Matheny negotiated in order to buy some land. Three years later, Matheny and four friends inserted a political notice in the *Sangamo Journal* asking the people of the county to elect "our old friend" Peter Cartwright to the General Assembly of the State.[72]

Growing out of Matheny's religious enthusiasm were his interests in colonization, temperance and Bible societies, and in education. The decade of the 1830's witnessed a great desire on the part of revivalists to free mankind of the various evils holding it in bondage. The enthusiasm engendered by the revivals of Charles G. Finney and Theodore Dwight Weld carried over into a crusade for reforms such as temperance reform, prison reform, and the abolition of slavery. To Illinois

[69] *Christian Advocate*, Oct. 2, 1829.

[70] Records of the First Methodist Church, Springfield.

[71] Minutes of the Illinois Conference, 1829 (MS, library of Illinois Wesleyan University). I am indebted to Allan R. Laursen, librarian, for sending me this information.

[72] *Sangamo Journal*, Feb. 2, 1832.

came preachers like the famed "Illinois Band," led by Edward Beecher, who did yeoman work in trying to free society from its chains. Matheny seems to have been receptive to the same emotional feeling which influenced other revivalists of the day. In 1833, he was instrumental in founding a branch of the Colonization Society, which sought to solve the slavery question by purchasing the freedom of slaves and sending them to settle in Liberia. Mr. Matheny served as president of the local unit, and John G. Bergen, E. Roberts and John T. Stuart were vice-presidents.[73] His enthusiasm for the cause of mankind led him to participate in the formation of the Sangamon County Temperance Society in 1831. In four years' time, this society grew from 34 to 157 members. Mr. Matheny was an active figure in the society serving as its manager and president.[74]

In July, 1824, he was instrumental in organizing the Springfield branch of the American Bible Society, and this group chose him to serve as its corresponding secretary. The national organization sent this branch 150 Bibles for distribution to the destitute of Sangamon County.[75] The history of the Springfield Bible Society is obscure. From 1824 to 1831, there is no mention of it in the *Annual Reports of the American Bible Society*. In 1831, the Society appears in the records when the national society sent it 800 Bibles for distribution.[76] The following year, the Reverend Neill Johnson, Illi-

[73] Angle, "*Here I Have Lived*," 52.

[74] *Sangamo Journal*, March 7, 1835; *Hist. of Sangamon County* (Inter-state Pub. Co.), 298. There was also a juvenile temperance society. James H. Matheny took the pledge not to use ardent spirits except as medicine. "Early Juvenile Temperance Society, Springfield, Illinois," *Jour. Ill. State Hist. Soc.*, XIII, no. 3 (Oct., 1920), 396-97. See *Report of the Executive Committee of the American Temperance Union, 1839* (New York, 1839), 20-21 for mention of the work in Illinois.

[75] *Annual Reports of the American Bible Society*, 1817-1838, I: 302, 309.

[76] *Ann. Rep. Amer. Bible Soc.*, 1817-1838, I: 558.

nois agent for the American Bible Society, called a meeting in Springfield at which he, J. G. Bergen, and Charles R. Matheny spoke at some length on the subject of Bible societies. At this meeting, Mr. Matheny was elected vice-president of the board of directors of the Springfield chapter.[77] From this date until Mr. Matheny's death, there is no further mention of the chapter in the records.

Although Mr. Matheny had had little formal education himself, he was interested in establishing institutions of learning in order that subsequent generations might benefit. In 1837, as a member of the board of trustees of the Springfield Seminary, he announced to the citizens of Springfield the founding of an institution of learning to prepare their children for college, and to educate them as their "parents desire." The tuition was to be $10 per term of twenty-two weeks for primary training, and $12 for secondary instruction.[78] This school apparently flourished, for two years later Mr. Matheny as president of the board of trustees inserted the following notice in the *Illinois State Register*:

> The President and Trustees of the Springfield Academy have the satisfaction to announce to the public that they have erected, in a pleasant and convenient situation in this place, a large and commodious two-story brick schoolhouse, capable of accomodating advantageously one hundred and fifty pupils, and that they have made an arrangement with Mr. S. M. Sill of this place, by which he has opened in it a High School for boys, and is now prepared to receive scholars.[79]

Mr. Matheny's interest in education also encompassed the need and desirability of collegiate training.

[77] *Sangamo Journal*, Jan. 19, 1832.
[78] *Ibid.*, Jan. 6, 1837.
[79] *Illinois State Register*, Sept. 28, Nov. 9, 23, 1839.

On November 8, 1828, he was elected a member of the board of managers of the proposed Lebanon Seminary. Two years later, the board of managers changed the name to McKendree College and chose Peter Akers as its first president.[80] By January, 1839, when McKendree College was incorporated, Matheny's name no longer appeared on the board of managers.

In spite of Charles R. Matheny's prominent position in the political, religious, and social life of early Illinois, he has, on the whole, been a neglected figure. No picture of the man has survived for posterity, and very few of his contemporaries have left any description of his physical appearance or character. To Major John T. Stuart, who served in the Colonization Society with him, we owe the following eulogy: "He was a good and useful man, had a pleasant smiling countenance beaming with benevolence as if the light of Heaven was shining on him, singling him out from the others." John Reynolds, governor of Illinois, and the judge of the circuit court who appointed him clerk in 1821, wrote that he "settled in Springfield, where he sustained an honorable and upright character as a citizen and a faithful and devout Christian, and died a few years since, beloved and revered by all his acquaintances."[81] His work in so many important facets of Illinois life reflects the strategic role one upland southerner played in the formation and development of Illinois and should assure him a place in the front rank of significant figures in the history of this frontier state.

[80] W. C. Walton, *Centennial History of McKendree College* (Lebanon, Ill., [1928]), 112-99. According to President M. H. Chamberlain of McKendree College in "Historical Sketch of McKendree College," *Ill. State Hist. Lib. Pub.*, no. 9 (Springfield, 1904), 330, "The managers were chosen from a wide area of territory and embraced some of the most conspicuous persons connected with the early history of the State."

[81] Reynolds, *Pioneer Hist. of Ill.*, 261-62.

APPENDIX

ELECTION OF ILLINOIS SUPREME COURT JUSTICES IN 1818*

October 8, 1818

The senate and house of representatives then proceeded to ballot for three associate justices, and on counting the same, there were for William P. Foster, twenty-six, for Thomas C. Browne, thirty, for Henry S. Dodge, eighteen, for William Wilson, fifteen, for Charles R. Matheny, nine, for John Warnock, one, for James W. Whitney, one, and for Joseph Kitchell, seven. Thomas C. Browne and William P. Foster, having a majority of the votes present, they were declared to be duly elected. Neither of the other persons having a majority of the votes present, the senate and house of representatives proceeded to another ballot for one associate justice, and on counting the same, there were for John Reynolds, eleven, for Henry S. Dodge, fifteen, for William Wilson, ten, for Charles R. Matheny, three, and for Joseph Kitchell, two. Neither of the persons having a majority of all the votes present, the senate and house of representatives proceeded to another ballot, and on counting the same, there were for John Reynolds, twenty two, and for Henry S. Dodge, nineteen. John Reynolds having a majority of all the votes present, he was declared to be duly elected.

Illinois Senate Journal, 1818, 18-19.

On October 8, [1818] the legislature again met in joint session, this time for the election of justices of the supreme court. The *Intelligencer* of the preceding day contained an open letter to the general assembly from "A friend to an able judiciary" in which the importance of "the selection of proper Judges" was emphasized. Unfortunately, however, the salaries fixed by the constitution were not such as to attract "the best talents of the state" which this

* While Matheny may very likely have moved from St. Clair County to Sangamon County because it was to his financial interest to do so, as stated *ante*, p. 16-17, it is quite possible that his decision was also influenced by his defeat in the election for Supreme Court justices in 1818. The sources quoted below give an account of that election.

writer thought "should be called into the service." According to Reynolds, "the *material* for the bench was not as good as it might be. Human nature is easier persuaded to mount upwards than to remain on the common level." The candidates for supreme judge were Joseph Phillips, secretary under the territorial government, Thomas Browne, a Shawneetown lawyer belonging to the Edwards party, and Henry S. Dodge, a Kaskaskia lawyer and real estate dealer. Phillips received thirty-four of the forty-one votes cast. The assembly then proceeded to elect three associate judges. There were nine candidates. . . .

The other candidates were Thomas C. Browne; William P. Foster, a man "of winning, polished manners" who had been in the state about two months; Henry S. Dodge; William Wilson, clerk and recorder of Jackson county; C. R. Matheny, the anti-slavery advocate of the last territorial legislature, and circuit attorney of the first district; Joseph Kitchell, senator from Crawford county; John Warnock, whom Edwards had appointed in June as judge of the western circuit in place of Cook; and J. W. Whitney, of whom nothing is known except that he lived in St. Clair county. Browne and Foster were elected on the first ballot, Reynolds on the third. The choice of Foster proved an unfortunate one. The following May, A. F. Hubbard wrote to Kane, "I have just been in the upper Country of Fosters Circuit [White, Edwards, and Crawford counties]. He did not hold any Court. The people are much enranged [*sic*] at him indeed and every man all most has made it his own case and have joined in complaint. I saw Judge Foster in Vincennes he told me the water was too high that he was too unwell to get to Palestine on time, and that his Son was to unwell to stay from him till after Edwards Court[?]." This confirms what Ford wrote of him: "he was no lawyer, never having either studied or practiced law; but . . . . withal a very gentlemanly swindler. . . . He was believed to be a clever fellow, in the American sense of the phrase, and a good-hearted soul. He was assigned to hold courts in the circuit on the Wabash; but being fearful of exposing his utter incompetency, he never went near any of them. In the course of one year he resigned his high office, but took care first to pocket his salary, and then removed out of the State.

SOLON J. BUCK, *Illinois in 1818*, 304-305.

Governor Reynolds also says, apparently referring to them [the Supreme Court judges] "the *material* for the bench was not as good as it might be." This was preeminently true of William P. Foster, who had never studied law, never held his court, was a swindler and worse, and disappeared after collecting his first year's salary.

FRANCIS S. PHILBRICK, *Pope's Digest*, I: xxii.

UNITED STATES VS MOLL A BLACK WOMAN. INDICTMENT FOR LARCENY—A TRUE BILL. THEO BROWNFIELD, FORMAN. WITNESS: ALEXANDER JIMMOSON SEBASTIAN SHANAN.

Illinois Territory, Monroe County. In the Circuit Court for the County of Monroe. April Term 1818.

The Grand Jurors of the United States of America empannelled and sworn to inquire for the body of the County of Monroe afore said upon their oaths do present and say that Moll a black woman of the County afore said unlawfully with force and arms on the seventh day of January in the year of our Lord one thousand Eight hundred and Eighteen in the county aforesaid and within the jurisdiction of this court filoniously did steal take and carry away three hundred and Twenty Dollars in silver the personal goods or money of Jacob Trout contrary to the form of the statute of this Territory in such case made and provided to the evil example of all others in like cases offending and against the peace and dignity of the United States of America.

C. R. Matheny
Circuit attorney

APPOINTMENT OF CHARLES R. MATHENY AS CIRCUIT CLERK

State of Illinois

The County of Sangamon being established and made a part of the first Judicial Circuit of this State wherein I preside, I do hereby constitute and appoint Charles R. Matheny Esq. Clerk of the Cir-

cuit Court of said Sangamon County To have and to hold Said office during his good behavior.

Done in Said State this 8th
Feby 1821
John Reynolds
Asst. Just. Sup. Court.

OATH AS CIRCUIT CLERK

I Charles R. Matheny being appointed clerk of the Circuit Court for Sangamon County do solemly swear that I will truly and faithfully enter and record all orders decrees Judgments and proceedings, of the said court and that I will faithfully and impartially discharge and perform all the duties of my said office—according to the best of my abilities and understanding according to law

State of Illinois

Present the above named Ch. R. Matheny Esq. before me one of the Justices of the Supreme Court of said State and took the above Oath this 15th Feby. 1821—

John Reynolds

MATHENY'S BOND AS NOTARY PUBLIC

Know all men by these presents that we Charles R. Matheny and John Taylor are held and firmly bound unto the governor of the State of Illinois in the Sum of five hundred dollars which payment well and truly to be made we bind ourselves our heirs, Executors and administrators Jointly and firmly by these presents. Sealed with our Seals and Noted this Twenty fourth day of December in the year of our Lord One Thousand Eight Hundred and twenty three—

The condition of the above obligation is Such that whereas the above bounden Charles R. Matheny is appointed and Commissioned Notary Public for Sangamon County in the State of Illinois. Now if the Said Charles R. Matheny shall faithfully discharge the duties of Said Office according to the law and Statutes of this State then

the above obligation to be void or else to remain in full force—

Charles R. Matheny
John Taylor

Signed Sealed & delivered
In presence of
Jos. Pickett

COUNTY RECORDER'S FEE

P. P. Enos Dr
To C. R. Matheny

1 April 1825
recording deed.....$1.00

Please send the amount by the boy in small change—I have an old man working whom I wish to pay—

C. R. Matheny

REMUNERATION AS COUNTY CLERK

Thursday October 12th 1826

Ordered that Charles R. Matheny be allowed Sixteen dollars for his services as Clerk at the present Term—

Ordered that Charles R. Matheny be authorized to contract for and procure a good Substantial convenient Table for the use of the bar & the Clerk in the court house, and that an appropriation shall be made at the next Term to pay for Said Table at such price as said Matheny may agree on, and also Two seats for the use of the Table—To be procured as above

Ordered that this Court[1] adjourn until court in course—

Samuel Lee
Wm. Strawbridge
Bowling Green

DESCRIPTIVE LIST OF REAL ESTATE BELONGING TO THE HEIR OF D. P. COOK IN AND ADJOINING THE TOWN OF SPRINGFIELD WITH THEIR SUPPOSED PROBABLE VALUE

LOT	BLOCK	GENERAL REMARKS	
"6	"15	This is a corner lot one Block & one Street west of the public Square worth.....	$ 400

[1] The County Commissioners Court of Sangamon County.

2 & 4	16	Lot 4 is a corner lot. This is worth Say $400. Lot 2 is worth $200 *150	600
1	18	This is a corner lot But is Some distance from the Square	150
2	20	This lot is worth Say	200
3	21	Worth about	300
6	14	Worth about	400
1 & 6	2	Worth "	500
5	11	This is a corner Lot on the NW of Square worth	3000
Out lots SW of Square containing 16/4 acres worth			5000
Out lots NW of Square containing 16/4 out of this I find a deed from Cook to Mobley for 6/2 acres. If Mr. Cook's Heirs own the Ball being 9/4 acres it is worth			1500
Out lots NW of Square containing 26 acres worth 20 per acre			620
			$12670

I am a very incompetant Judge of the value of unimproved property Those persons who trade are so much better able to Judge of the value of the lots & out lots named above than I am But the above estimate is Respectfully Submitted by the devoted friend of the departed Honble D. P. Cook for the benefit of whose infant heir you have requested this Statement

I Remain Verry Respectfully
Dear Madam Your Obediant Servant
C. R. Matheny clerk

To Mrs. L. L. Edwards

MATHENY'S ACCOUNT WITH THE COUNTY COMMISSIONERS COURT

Sangamon County Dr
To C. R. Matheny

1836		
Mar. 21st	one load of wood for office a	3.00

* having reexamined the map I was mistaken in Lot 2 & 4 in Block 16. I think them worth about $150. which will reduce the agregate to the sum of $12220.
C. R. Matheny.

23rd	2 Loads of wood for Do a 3. each	6.00
24	4 Blk Book Small Bot at 12 1/2 each	.50
28	One Load of Wood for office	1.50
	Presented to court, June term 1836	11.00
July	Copy of order for Bridge on Sangamon	.50
	3 notices to committee each 50	1.50
	Copy of order for Publication 2 50 each	1.00
	2 Blk Book for Tax Book Bot of 1.50	3.00
	Ink Stand of Ginsutt a 1.00	1.00
	Lot of Personal property	30.00
	Bal due on Land list for 1834	26.00
	Alphebetacal Book for Sheriff	80.00

Allowed Sept Term 1836

C. R. Matheny

Sangamon County Road Tax

To C. R. Matheny Dr

1836		
Mar. 17	To 40 notices to Supervisors a 50	20.00
	Notices to R. Harrison H. Penny & Bone	.50
	Notice to R. Harrison M. Young & I Berry	.50
	Notices to W. Bracker I Bants & C. Montgomery	.50
	Notice to R. Cownoun W. G. Getty & A. Lincoln	.50
	Notice to L. Beam I. Whaley & R. Short	.50
	copy of Road Districts for assessor 40 a 50 each	20.00
June 10	N. Kates A. Sinnard S. M. Thompson & Wm. Stephenson	.50
	Notice to Sol Wood Wm Wright & Robt Musick	.50
	to 3 notices to Supervisors a 50	1.50
11	to 1 notice to Supervisor a	.50
	to 1 notice to Supervisor a	.50
	40 Lists of Savings Tax for Road 40 a 100	40.00
	Copy of Record for Bridge	.50
Sept. 9	To 10 Road notices to Means a 50 ct	5.00
Nov. 18	To 1 Road notices to Supervisor a	.50
	advertising 412 tracts of Land for a 10 each	412.00

Dec. 10 To 5 Road notices 50	2.50
To 2 Road notices 50 ct	1.00
Feb. 14, 1837 To 1 Road notice 50ct	.50
	137.20

TAX DEED EXECUTED BY MATHENY

Charles R. Matheny. Clerk of the County Commissioners Court of the County of Sangamon and State of Illinois. To all whom these presents shall come. Greeting.

Know Ye that Whereas I did on the third day of March A.D. 1834 at the Town of Springfield in conformity with all the requisitions of the several acts in such cases made and provided expose to public sale a certain tract of land being the W ½ of the NE ½ of Section 18. Town 15 North Range 4 West containing Eighty acres for the sum of two dollars and ninety cents being the amount of Tax for the year 1833 with Interest and cost chargeable on said tract of land. And whereas at the time and place aforesaid James Woods offered to pay the aforesaid Sum of money for the whole of Said part or tract of Land which was the least quantity bid for and did pay the said sum of money into the Treasury of the State. I have granted Bargained and sold and by these presents as clerk of the County Commissioners Court as aforesaid do grant bargain and sell the whole of said tract of land above described to the said James Woods his heirs and assigns to have and to hold said tract of land to the said James Woods and his heirs forever subject however to all the rights of redemption provided by law.

In testimony where of I have hereunto set my hand and seal of said County Commissioners Court at Springfield this thirty first day of October 1836

C. R. Matheny Clerk

LINCOLN ONE OF MATHENY'S BONDSMEN

Know all men by these presents that we Charles R. Matheny William Butler Abner Y. Ellis, A. Lincoln

Are held and firmly bound unto the County Commissioners of the County of Sangamon and State of Illinois for the use of any person or persons injured or for the use of the said County if injured in the penal sum of one thousand dollars the payment of which will and truly to be made we bind ourselves, our heirs and assigns, jointly severally and firmly by these presents. Signed, Sealed and dated this 18 day of June AD 1838

The Condition of the above obligation is such that whereas the above bounden Charles R. Matheny has been duly elected Clerk of the said County Commissioners Court, Now if he the said Charles R. Matheny shall faithfully perform the duties of said office as required by Law, then the above obligation to be void otherwise to remain in full force and effect.

C. R. Matheny
William Butler
Abner Y. Ellis
A. Lincoln

State of Illinois
Sangamon County

LINCOLN'S CERTIFICATE OF ELECTION

State of Illinois
Sangamon County

I Charles R. Matheny, Clerk of the County Commissioners Court of said County do hereby Certify that Abraham Lincoln is duly elected Representative from Sangamon County at the General Election held on Monday the 4th day of August AD 1839 as appears from the Returns filed in this office.

Given under my hand and Seal of office at Springfield this 20th day of August AD 1839
C. R. Matheny Clerk

JOURNAL OF THE PROCEEDINGS OF THE BOARD OF TRUSTEES OF SPRINGFIELD

. . . . . .

On motion, C. R. Matheny was chosen President of the Board.

On motion, Simeon Francis was elected Clerk of the Board.

Adjourned.

C. R. Matheny

April 7, 1838. Present—C. R. Matheny, I. Klein, P. C. Canedy, and P. C. Latham.

On motion, P. C. Latham was chosen Clerk pro tempore.

The President laid before the Board a communication from Wm. Butler, resigning his office as Trustee. Said communication was ordered to be filed.

On motion, Resolved, That Samuel H. Treat be appointed Trustee in the place of Wm. Butler, resigned.

Samuel H. Treat appeared and was qualified as a Trustee of the town of Springfield.

On motion, the Board adjourned.

C. R. Matheny

April 13, 1838. Present—C. R. Matheny, P. C. Latham, P. C. Canedy, I. Klein, S. H. Treat.

On motion, S. H. Treat and the President were appointed a committee to revise the ordinances of the corporation in relation to the office and duties of Street Commissioner; and that they report by bill at the next meeting of the Board.

On motion, Resolved, That Josiah Wickersham be appointed Street Commissioner of the town of Springfield, to hold his office during the pleasure of the Board.

On motion, Resolved, That Charles B. Francis, be appointed town treasurer.

On motion, Resolved, That Lemuel Higby be appointed Assessor of the town of Springfield.

On motion, Resolved, That Lemuel Higby be appointed Collector of the town of Springfield.

On motion, Resolved, That James Maxy be appointed Constable of the town of Springfield.

On motion, Resolved, that Lemuel Higby be appointed Market Master.

On motion, Resolved, That the Treasurer of the Corporation be requested to report to this Board at the next regular meeting of

the Board, the balance that was remaining in the Treasury on the 1st Monday of April, 1837, and the amount of the subsequent revenue received, and the expenditures in detail, up to the first Monday of the present month. Also to exhibit in a separate statement, a general estimate of expenditures for the coming year, and the necessary revenue to be relied upon to meet the same without defalcation.

Adjourned.

C. R. Matheny.

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